



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

Project Name: Pizzuto Minor Subdivision (3 lots); Tentative Parcel Map

Project Number(s): TPM 20846/ER04-08-030

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies
1. California Environmental Quality Act Mitigated Negative Declaration Findings:  
  
Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
  2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

- 1) The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGICAL REQUIREMENTS

- 1) Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego an open space easement as shown on the Open Space Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.  
**[DPLU, FEE]**

The sole exception(s) to this prohibition is:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.

- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- 2) Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**
- a. Structures designed or intended for occupancy by humans or animals located no less than 100 feet from the nearest biological open space easement boundary, provided that the structures meet the minimum Fire-Resistive Construction Requirements as defined by the Fire Protection Authority (FPA) having jurisdiction over the property and that FPA has approved in writing a reduction in the vegetation clearing/fuel modification requirements so that they will not be required within any portion of the biological open space easement.
  - b. Decking, fences, and similar facilities.
  - c. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- 3) Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall provide for the approval of the Director of Planning and Land Use evidence that 2.08 acres of Diegan coastal sage scrub habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the Northern Foothills Ecoregion. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X 2]**
- a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

- c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
- d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 2.08 acres of Diegan coastal sage scrub habitat located in the Northern Foothills Ecoregion. A Resource Management Plan (RMP) for the Diegan coastal sage scrub habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- 4) Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall provide for the approval of the Director of Planning and Land Use evidence that 14.90 acres of southern mixed chaparral habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in the Northern Foothills Ecoregion. Evidence of purchase shall include the following information to be provided by the mitigation bank: **[DPLU, FEE X 2]**
  - a. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - b. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - c. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.

- d. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 14.90 acres of southern mixed chaparral habitat located in the Northern Foothills Ecoregion. A Resource Management Plan (RMP) for the southern mixed chaparral habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- 5) Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, provide evidence to the satisfaction of the Director of Planning and Land Use, that the open space signage has been installed.

The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lot 3 as shown on the Open Space Fencing Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030 have been installed.

**[DPLU, FEE]**

- a. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

"Sensitive Environmental Resources"  
Disturbance Beyond this Point is Restricted  
by Easement  
Information:

Contact County of San Diego, Department of Planning and Land Use  
Ref: 04-08-030"

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

**TPM CONDITIONS:**

B. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

THIS PROJECT IS REQUIRED TO PAY THE TRANSPORTATION IMPACT FEE (TIF) IN ACCORDANCE WITH COUNTY ORDINANCE # 9712

1. THE PARCEL MAP SHALL SHOW AN ACCURATE AND DETAILED VICINITY MAP.

2. ACCESS

- a. The subdivider shall furnish to the County of San Diego, Department of Public Works, recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes. This easement shall be forty feet (40') wide as specified in Section 81.703(a)(2) and/or (b)(1), unless proof is furnished that a lesser width is applicable under Section 81.703(l)(1) of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels.

3. SIGHT DISTANCE

- a. Have a registered civil engineer, a registered traffic engineer, or a licensed land surveyor provide a certified signed statement that physically, there is minimum unobstructed sight distance in both directions along Deer Springs Road from Deer Springs Place, for the prevailing operating speed of traffic along Deer Springs Road, to the satisfaction of the Department of Public Works. If the lines of sight fall within the existing public road right-of-way, the engineer or

surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required.

4. PRIVATE ROAD EASEMENTS

- a. The Parcel Map shall show a forty-foot (40') minimum radius offset cul-de-sac located in the vicinity of the common boundaries of Parcels 1, 2, and 3, to the satisfaction of the Deer Springs Fire Protection District and the County of San Diego, Department of Public Works.
- b. The Parcel Map shall show a minimum forty-foot (40') wide onsite private road easement from the cul-de-sac to the southerly boundary of the land division.

5. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/DEVELOPMENT IMPACT FEES

- a. The subdivider shall authorize DPW Lighting district to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District. The subdivider shall cover the cost of processing by paying a minimum deposit at the Land Development Counter Services.
- b. The subdivider shall provide for maintenance of the on-site and off-site private roads that serve the project through a private road maintenance agreement.

6. FACILITY/UTILITY ARRANGEMENTS

- a. Where private easement roads are not being dedicated, or where each of the proposed parcels is not on a public street, the subdivider shall provide the County of San Diego, Department of Public Works, with letters from serving utility companies stating that arrangements satisfactory to the utility have been made to serve all parcels being created. No letter will be required from AT&T/SBC.
- b. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the

proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature.

- c. Certification by the Department of Environmental Health with respect to sewage disposal shall be shown on the Parcel Map. [DPLU]

- C. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

(IMPROVEMENT PLANS AND COST ESTIMATES ARE NOT DEFERRABLE) THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY DEFERRED IMPROVEMENTS. THE ESTIMATE OF COST SHALL BE BASED UPON IMPROVEMENT PLANS. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE SUFFICIENT FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENT, A BUILDING PERMIT PROHIBITION". IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT, AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT, MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUELBREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE PARTICULAR

PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.) [DPW]  
[DPLU]

1. PRIVATE ROAD IMPROVEMENTS

- a. In the event these improvements are deferred, the subdivider shall execute such documents as deemed necessary by the County of San Diego, Director of Public Works, indemnifying the County from liability arising from the improvement of any off-site easement. This indemnification shall also be noted on the Parcel Map.
- b. The offset cul-de-sac located in the vicinity of the common boundaries of Parcels 1, 2, and 3 shall be graded to a radius of forty feet (40') and improved with asphaltic concrete pavement over approved base to a radius of thirty-six feet (36'), to the satisfaction of the Deer Springs Fire Protection District and the County of San Diego, Department of Public Works.
- c. The onsite private easement road serving the land division, from the cul-de-sac to Deer Springs Place, shall be graded a minimum twenty-eight feet (28') wide and improved a minimum twenty-four feet (24') wide with asphalt concrete pavement over approved base. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply, to the satisfaction of the Department of Public Works and the Deer Springs Fire Protection District. NOTE: where grades exceed fifteen percent (15%), Portland cement concrete (PCC) shall be used in lieu of asphalt concrete pavement.
- d. The private easement road, Deer Springs Place, from the onsite private easement road serving the land division southerly to Deer Springs Road, shall be graded a minimum twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base. The existing pavement may remain and shall be widened with asphalt concrete to provide a constant width of twenty-four feet (24'). All distressed sections shall be replaced. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply, to the satisfaction of the Department of Public Works and the Deer Springs Fire Protection District. NOTE: where grades exceed fifteen percent (15%), Portland cement concrete (PCC) shall be used in lieu of asphalt concrete pavement.

- e. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading Group of the County of San Diego, Department of Public Works. All improvement plans shall be designed in accordance with County Standards for Private Roads.
- f. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blueline plans, and post an inspection deposit.
- g. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The onsite private easement road serving the land division, including all slopes and the cul-de-sac, from the cul-de-sac to Deer Springs Place, is constructed entirely within the easement, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
- h. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The private easement road, Deer Springs Place, including all slopes, from the onsite private easement road serving the land division southerly to Deer Springs Road, is constructed entirely within the easement, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
- i. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.

- j. The structural section for the private roads shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, prior to construction per Section 3.11 of the San Diego County Standards for Private Roads.
- k. A permit shall be obtained from the County of San Diego, Department of Public Works for the improvements to be made within the public right-of-way. The connection of the private easement road to the County road will have to match the construction of the public road. A copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, shall be submitted to the Land Development Counter Services of the County of San Diego, Department of Public Works.
- l. All driveways and roadways shall not exceed twenty percent (20%) grade. Grades exceeding fifteen percent (15%) are required to have Portland cement concrete (PCC) surface. [FIRE]

2. FACILITY/UTILITY IMPROVEMENTS [DPLU]

- a. The existing fire hydrant(s), together with an adequate water supply, shall have a minimum eight inch (8") main with six inch (6") riser, with one 4" and one 2 ½" outlets. In addition, the required fire flow needs to be 2,500 GPM and 20 PSI, per the specifications of the Deer Springs Fire Protection District and San Diego County. On paved roads, a "blue dot" marker shall be installed in the pavement to indicate the location of the fire hydrant(s).

Design of water supply, type, and location of any fire hydrant(s) must be submitted to the Deer Springs Fire Protection District for approval prior to the issuance of a building permit for any parcel created by this subdivision.

3. BIOLOGICAL REQUIREMENTS [DPLU]

- a. Prior to the approval of the grading, improvement, or building plans, submit to the satisfaction of the Director of Planning and Land Use; a statement from a California Registered Engineer, or licensed surveyor that temporary construction fences have been placed in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing condition shall be released on a parcel-by-parcel basis. [DPLU, FEE]

- b. Prior to the issuance of any Building, grading, or construction permit, or approval of any grading, improvement, or building plans, provide evidence to the satisfaction of the Director of Planning and Land Use the grading, and or improvement plans, and or building plans show permanent fences or walls along the open space boundary of lot 3 as shown on the Open Space Fencing and Signage Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030. **[DPLU, FEE]**
  - 1) The fence or wall shall be a minimum of four feet (4') high and consist of split rail. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
  - 2) Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, provide evidence to the satisfaction of the Director of Planning and Land Use that the open space signage has been installed. The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lots 3 as shown on the Open Space Fencing and Signage Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030 have been installed. **[DPLU, FEE]**
  - 3) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

"Sensitive Environmental Resources"  
Disturbance Beyond this Point is Restricted  
by Easement  
Information:  
Contact County of San Diego, Department of Planning and Land Use  
Ref: 04-08-030"
- c. Prior to the approval of any grading, improvement, or building plans and issuance of any permit, provide evidence to the satisfaction of the Director of Planning and Land Use or Public Works, that the following specific environmental notes have been placed on any of the following plans as applicable: grading, and or improvement plans and that they are made conditions of its issuance:

**(Biological Notes)**

- 1) "Temporary construction fencing is required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity."
- 2) "Prior to the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of permanent fencing or walls is required. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been installed along the biological open space boundary of lot 3 as shown on the Open Space Fencing and Signage Exhibit dated **April 25, 2008** on file with the Department of Planning and Land Use as Environmental Review Number 04-08-030. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed."**[DPLU, FEE]**
- 3) Restrict all brushing, clearing and/or grading such that none will be allowed within Diegan coastal sage scrub and granitic southern mixed chaparral habitat during the breeding season of migratory birds. This is defined as occurring between February 15<sup>th</sup> and August 31<sup>st</sup>. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no active nests are present in the vicinity of the brushing, clearing or grading."**[DPLU, FEE]**
- 4) "Restrict all brushing, clearing and/or grading such that no tree removal will be allowed during the breeding season of tree-nesting raptors. This is defined as occurring between January 15<sup>th</sup> and July 15<sup>th</sup>. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting raptors are present in the trees to be removed." **[DPLU, FEE]**

4. CULTURAL RESOURCE REQUIREMENTS: [DPLU]

- a. Prior to approval of any grading or improvement plans, or issuance of any grading permits or construction permits, the applicant shall implement the following conditions relating to the grading monitoring program, to mitigate potential impacts to undiscovered buried archaeological resources on the Project site. The following conditions shall be implemented to the satisfaction of the Director of the Department of Planning and Land Use: **[DPLU, FEE X2]**
- 1) Provide evidence that a County approved archaeologist ("Project Archaeologist") has been contracted to implement a grading monitoring and potential data recovery program that complies with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, to the satisfaction of the Director of Planning and Land Use. Also, provide evidence that a Native American Monitor has been contracted to monitor grading, or evidence that no Native American Monitor was available, in which case the Project Archaeologist shall perform that function.
  - 2) The Contract shall include a cost estimate of the required monitoring; this estimate shall be submitted to the Director of Public Works and included in the Bond Cost Estimate for the required Grading.
- b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) and/or the Director of Planning and Land Use that the following "Specific Environmental Notes" have been placed on the grading, and/or improvement plans and are made conditions of their issuance: **[DPLU, FEE]**

(Cultural)

- 1) "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity."

- 2) "The County approved Project Archaeologist, the Native American Monitor, and the DPLU Permit Compliance Coordinator (PCC), shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program." **[DPLU, FEE]**
- 3) "The Project Archaeologist (and Native American Monitor, if contracted) shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements."
- 4) "During the original cutting of previously undisturbed deposits, the Project Archaeologist and Native American monitor shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist."
- 5) "In the event that previously unidentified potentially significant cultural resources are discovered, the Project Archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the DPLU Staff Archaeologist. The Project Archaeologist, in consultation with the designated Staff Archaeologist, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the Staff Archaeologist, then carried out using professional archaeological methods."
- 6) "If any human bones are discovered, the Project Archaeologist shall contact the County Coroner. If the

remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the Project Archaeologist in order to determine proper treatment and disposition of the remains.”

- 7) “The Project Archaeologist shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.” **[DPLU, FEE]**
- 8) “Prior to rough grading inspection sign-off for each phase, the Project Archaeologist shall provide evidence that the field grading monitoring activities have been completed. Evidence shall be in the form of a letter to the Director of the Department of Planning and Land Use.” **[DPLU, FEE]**
- 9) “Prior to Final Grading Release for each phase, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall include the following:” **[DPLU, FEE X2]**
  - (a) “Department of Parks and Recreation Primary and Archaeological Site forms.”
  - (b) “Evidence that all cultural resources collected during the grading monitoring program have been submitted to a San Diego curation facility that meets federal standards per 36 CFR Part 79, and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating

that archaeological materials have been received and that all fees have been paid.”

- (c) “If no cultural resources are discovered, a brief letter to that effect and stating that the grading monitoring activities have been completed, shall be sent to the Director of Planning and Land Use by the Project Archaeologist.”

E. OTHER REQUIREMENTS [DPW] [DPLU]

1. The following note shall appear on the Parcel Map:  
  
All parcels within this subdivision have a minimum of 100 square feet of solar access for each future dwelling unit allowed by this subdivision as required by Section 81.401(m) of the Subdivision Ordinance.
2. At the time of recordation of the Parcel Map, the name of the person authorizing the map and whose name appears on the SURVEYOR'S CERTIFICATE as the person who requested the map, shall be the name of the owner of the subject property.
3. Prior to the approval of the Parcel Map by the Department of Public Works, the subdivider shall provide the Department of Public Works with a copy of the deed by which the subject property was acquired and a Parcel Map report from a qualified title insurance company.
4. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (**Ordinance No. 9926**) and all other applicable ordinances and standards. This includes requirements for Low Impact Development (LID), materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
5. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all Parcel Map surveys performed after January

1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.

6. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineer's certificate as shown on the final map.

8. Zoning regulations require that each parcel shall contain a minimum net area of 4 acres. If, as a result of survey calculations, required easements, or for any other reason, the area of any parcel shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the zoning minimum, it becomes the responsibility of the subdivider to meet zoning requirements by lot redesign, or other applicable technique. The subdivider shall comply with the zoning area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.
9. The subject property is in the Multiple Rural Use (18) Designation of the General Plan and each parcel shall contain a minimum gross area of 4, 8, or 20 acres, depending on the average slope of each parcel. If, as a result of survey calculations or for any other reason, the area of any parcel

shown on this Tentative Parcel Map is determined by the Department of Public Works to be below the required minimum, it becomes the responsibility of the subdivider to meet area requirements by lot redesign. The subdivider shall comply with the area requirements in full before the Department of Public Works may file a Parcel Map with the County Recorder.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_